ᵃ⌐

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/509,637	06/02/2000	KALEVI AHOLA	027566-016	7880

27045   7590   05/03/2006

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

EXAMINER
BORLINGHAUS, JASON M

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/509,637	AHOLA, KALEVI
	Examiner	**Art Unit**	
	Jason M. Borlinghaus	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>*2/17/06 & 2/24/06*</u>.
2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-3,5-11 and 13* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-3,5-11 and 13* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/24/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 1 is objected to because of the following informalities: missing preposition, improper punctuation and unnecessary article. Claim 1 (Claim 1, line 1) claims "A method of paying calls and or services in a telecommunications network." Claim 1 should read, " A method of paying *for* calls *and/or* punctuation services in a telecommunications network." (emphasis added). Proper grammar dictates that there must be some punctuation between multiple conjuctions. Claim 1 (Claim 1, line 5) also claims "said user accounts enabling prepaid calls and or an access to various services for said users." Claim 1 should read, "said user accounts enabling prepaid call *and/or* ~~an~~ access to various services for said users." (emphasis added). In addition to the "an/or" grammatical error, the article "an" is not needed as the "said user accounts enabling...access to various services for said users."

Claims 2 – 3 and 5 – 8 are objected to by virtue of their dependency on Claim 1.

Claim 6 is object to because of the following informalities: improper punctuation. Claim 6 (Claim 6, lines 3 –4) claims "identifiying an incoming call by means of A-number information." Claim 6 should read "identifying an incoming call by means of *a number* information." (emphasis added).

Claim 9 is objected to because of the following informalities: improper punctuation. The "and/or" grammatical error, as discussed in regards to Claim 1, also exists in Claim 9, line 1.

Claims 10 – 11 are objected to by virtue of their dependency on Claim 9.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

To ensure clarity and clear understanding of examiner's rationale for application

of cited prior art, references terminology contained within parentheses indicates quoted

language contained within or general concepts conveyed by said cited prior art

references. Such parenthetical terminology is to be interpreted as "reading on" or being

"mapped to" the claim language prior to such parenthetical inclusions.

Claims 1 – 3, 5 – 11 and 13 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Taskett (US Patent 5,991,748) in view of Cheng (US Patent

5,537,467).

Regarding Claim 1, Taskett discloses a method of paying for calls and/or

services in a telecommunications network, comprising a charging controller ("service

provider network or host computer system"), said charging controller having a first

database with user accounts of individual users of the telecommunications network ("an

account database of prepaid accounts"), said user accounts enabling prepaid calls

and/or access to various services, the method comprising the steps of: (see abstract).

- accessing a loading service ("host computer system") through a user

  interface ("calling station"), operationally connected to said charging

  controller ("host system is connected to calling station"). (see col. 6, lines

  45 – 57);

- loading ("transfers") into an individual user account (user "account

  balance") a credit amount ("selected amount of funds") via the user

  interface ("calling station"), wherein said loading step comprises the steps

  of: (see col. 7, lines 15 – 43).

  - the user purchases a voucher or similar ("a prepaid card, a debit card,

    an American Express credit card, or other credit card associated with

    the calling card"). (see col. 6, lines 17 – 37);

  - the user accessing the voucher or similar using an identifier provided

    by the voucher or similar ("expiration date of transaction card or other

information necessary for transferring funds from card to prepaid card).
(see col. 6, line 17 – 37); and

- transferring a specified value ("selected amount of funds") of the
  voucher or similar to the individual user account (user "account
  balance") in the first database ("account database of prepaid
  accounts). (see col. 5, line 66 – col. 6, line 37 and col. 7, lines 15 – 43).

Taskett does not teach the underlined limitations - a method of paying for calls
and/or services in a telecommunications network, comprising a charging controller , said
charging controller having a first database with user accounts of individual users of the
telecommunications network, said user accounts enabling prepaid calls and/or access
to various services, the method comprising the steps of:

- accessing a loading service through a user interface, operationally
  connected to said charging controller;

- loading into an individual user account a credit amount via the user
  interface, wherein said loading step comprises the steps of:

  - the user purchases a voucher or similar, <u>wherein the value of the</u>
    <u>voucher or similar is pre-recorded in a second database</u>;

  - the user accessing the voucher or similar record <u>in the second</u>
    <u>database</u> using an identifier provided by the voucher or similar; and

  - transferring a specified value of the voucher or similar record to the
    individual user account in the first database.

Storage of payment instrument value, such as a prepaid value or credit limit, in a

payment provider database, and electronic fund transfers and/or database

communication between two systems, such as between a service provider and a

payment provider, is old and well known in the art of e-commerce, as evidenced by

Cheng (see col. 2, lines 38 – 53). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to have modified Taskett by incorporating the

ability to communicate with payment provider database, as disclosed by Cheng, as such

is standard and conventional in electronic fund transfers, and Taskett "electronically"

does transfer funds between two accounts. (see Taskett, Claim 4).

Regarding Claim 2, Taskett discloses a method wherein the loading into said

individual user account includes:

- the user entering an individual number string ("account code") indicated by

  the prepaid voucher or similar ("prepaid card") to the loading service ("host

  computer") through said user interface ("calling station"). (see col. 6, lines

  45 – 54);

- said loading service ("host computer") having access to the first database

  ("account database") including said record ("data record") defining the

  amount of the prepaid balance (user "account balance"). (see col. 6, lines

  9 – 57); and

- transferring a desired amount of balance ("selected amount of funds")

  from the payment instrument to the individual user account (user "account

  balance"). (see col. 7, lines 30 – 37).

Taskett does not teach underlined limitations - a method wherein the loading into

said individual user account includes:

- transferring a desired amount of balance from <u>the second database</u> to the

  individual user account, <u>wherein the correct record containing the pre-</u>

  <u>recorded value in the second database is indicated by means of the</u>

  <u>number string</u>.

Storage of payment instrument value, such as a prepaid value or credit limit, in a

payment provider database, and electronic fund transfers and/or database

communication between two systems, such as between a service provider and a

payment provider, is old and well known in the art of e-commerce, as evidenced by

Cheng (see col. 2, lines 38 – 53). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to have modified Taskett and Cheng by

incorporating the ability to communicate with payment provider database, as disclosed

by Cheng, as such is standard and conventional in electronic fund transfers, and

Taskett "electronically" does transfer funds between two accounts. (see Taskett, Claim

4).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have modified Taskett and Cheng to allow for any recording of

information in a database that the inventor desired, such as via a number string, a

character string or an alpha-numeric string. In re Kuhle, *526 F.2d 553, 555, 188 USPQ*

7, 9 (CCPA 1975).

Regarding Claim 3, Taskett discloses wherein the individual user accounts are

accounts which define the amount loaded by telephone number buttons, further

comprises the steps of:

- an amount of pulses ("each depression of a key may signal the transfer of

  a predetermined increment") corresponding to the requested amount

  being subtracted from a database associated with the prepaid voucher or

  similar ("prepaid card"). (see col. 7, lines 22 – 29 and col. 8, lines 1 – 11);

  and

- the corresponding amount being loaded to the individual user account

  (user "balance"). (see col. 8, line 1 - 11).

Taskett does not teach the underlined limitations - a method wherein the

individual user accounts are pulse accounts which define the balance by terms of

pulses, further comprises:

- the corresponding amount of pulses being loaded to the individual user

  pulse account.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have modified Taskett and Cheng to allow for any unit of

measurement of the account balance and additions/subtractions to said account that the

inventor desired, such as accounts measured in pulses, key depressions, minutes,

dollars or time. In re Kuhle, *526 F.2d 553, 555, 188 USPQ 7, 9 (CCPA 1975).*

Regarding Claim 5, Taskett discloses a method wherein:

- the user is prompted ("prompting the caller") to transfer an additional amount to the individual user account in the first database by an announcement ("warning" or "prompt") through the user interface ("calling station"). (see col. 7, line 53 – col. 8, line 5).

Taskett does not teach the underlined limitations - a method wherein:

- the user is prompted to transfer an additional amount <u>from the record in the second database</u> to the individual user account in the first database by an announcement through the user interface.

Storage of payment instrument value, such as a prepaid value or credit limit, in a payment provider database, and electronic fund transfers and/or database communication between two systems, such as between a service provider and a payment provider, is old and well known in the art of e-commerce, as evidenced by Cheng (see col. 2, lines 38 – 53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett and Cheng by incorporating the ability to communicate with payment provider database, as disclosed by Cheng, as such is standard and conventional in electronic fund transfers, and Taskett "electronically" does transfer funds between two accounts. (see Taskett, Claim 4).

Regarding Claim 6, Taskett discloses a method further comprising the steps of:

- identifying an incoming call by means of a number ("account code") information of the user. (see col. 6, lines 44 – 59);

- giving a security code ("personal identification number") of the individual

  user to the loading service ("host computer"). (see Claim 5); and

- giving the amount to be loaded to the user interface ("calling station") and

  transmitting an indication about said amount to the loading service ("host

  computer"). (see col. 8, lines 1 – 11).

Taskett does not teach the underlined limitations – a method further comprising

the steps of:

- announcing, from the loading service to the user interface, the new

  balance in the individual user account and that the transactions have been

  accomplished.

Announcements concerning balance and/or transaction completion are old and

well known in the art of computerized transaction and banking systems. As Taskett

already possesses verbal capacity (see col. 7, lines 15 – 21) and executes a step upon

completion of loading account balance (see Fig. 6), it would have been obvious to one

of ordinary skill in the art at the time the invention was made to have modified Taskett

and Cheng by incorporating a balance announcement at the completion of the loading

procedure to alert the user of the new post-loading balance.

Regarding Claim 7, Tackett discloses a method wherein:

- announcements to the user via the user interface are given as a text

  message or as a voice message (verbally "prompting the caller"). (see col.

  8, lines 1 – 11).

Regarding Claim 8, Taskett discloses a method further comprising the steps of:

- setting a time limitation ("expiration date") for the validity of the prepaid

   balance in the prepaid voucher or similar ("prepaid card"). (see col. 6, lines

   25 – 36).

Taskett does not teach the underlined limitations - a method further comprising

the steps of:

- deleting expired prepaid vouchers or similar from the prepaid or similar

   record in the second database.

Deleting expired and/or non-viable files from database and/or record storage is

old and well known in the art of database and record management. It would have been

obvious to one of ordinary skill in the art at the time the invention was made to have

modified Taskett and Cheng by incorporating the ability to delete expired prepaid

vouchers from the second database, as deletion of expire and/or non-viable files is

standard record maintenance practice.

Regarding Claims 9 – 11, further apparatus/arrangement claims would have

been obvious from method claims rejected above, Claim 1 – 3, and are therefore

rejected using the same art and rationale.

Regarding Claim 13, further system claim would have been obvious from

method claim rejected above, Claim 1, and is therefore rejected using the same art and

rationale.

Response to Arguments

Regarding rejection based upon prior art, applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
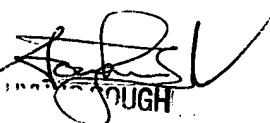
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Borlinghaus whose telephone number is (571) 272-6924. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).